

From: Dave Updegraff, 5130 Washburn Rd, Duluth, MN 55803, [dave@toimi.com]

Re.: Microsoft Settlement, Public Comment.

TO: 202-616-9937 / 202-307-1545
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Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530

Greetings.

Please register my strong objection to the current (as of Dec. 2001) settlement reached with Microsoft regarding its anti-competitive behavior(s).

My objections are :

1. That when purchasing new consumer grade computers the presumption of a need for a Microsoft operating system remains so entrenched that no opportunity exists to permit real competition nor even to make the consumer aware that any options exist. In my view it is very important that the licensing fees for these operating systems be both optional and also appear as explicit line items such that the consumer is aware of what they are buying.
2. That the extent of the Microsoft monopoly not be effectively extended and legitimized by the very terms of the settlement: i.e. by Microsoft being given a special channel to supply public schools with the software of its choice. Public schools -- more than any other place -- should be places where we learn of many options, thence to make our own choices more intelligently.

Microsoft operating systems -- as I'm sure you can guess from this note -- are not my own choice for computing tools. I believe that Microsoft's aggressive anti-competitive behavior warrants that any settlement at least TRY to make consumers more aware of the choices they are making: that those choices exist at all! The argument for not doing so can only be that consumers "needn't worry their pretty little heads.." or that they may actually avail themselves of other choices.

Please craft a settlement that really boils down to simple truth in labeling. Consumers do actually read. Make sure consumers know what they are buying, what it is costing, and -- most importantly for an educated choice -- what alternatives may exist.

Thanks for your time.

Sincerely,



David Updegraff.